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MEMORANDUM

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BERLIN CONTINGENCY PLANNING

May 17, 1960

Following is a summary of the initial actions which would be taken, on the basis of tripartite Berlin contingency planning, in the event the Soviet Union should carry out the threats which it has made in the past to withdraw from its functions with respect to Allied access to Berlin. This memorandum is not a complete review of all planning on the basis of the tripartite agreement of April 4, 1959 (see Attachment A) and should not be used as a basis for further detailed planning.

Preparatory Military Measures

Agreed planning calls for quiet precautionary and preparatory military measures to be taken before any change in the existing situation. These measures, which would be of the kind which would not create public alarm but would be detectable by Soviet intelligence, would provide evidence of the Three Powers' determination to maintain their freedom of access. A number of such measures were carried out following the Soviet threat of November 1958. Stand-by plans for additional measures have been prepared, but there is no commitment regarding their implementation.

United Nations Action

It has been agreed that the Three Powers should refer the Berlin access question to the UN Security Council before the Soviets withdraw from their access functions. Immediately following an indication by the Soviets of their intent to do so, the Three Governments would send identical letters to the Secretary General or the President of the Security Council requesting an urgent meeting of the Council and would introduce a resolution calling on the Four Powers not to violate existing agreements regarding Berlin, to negotiate their differences, and to report to the Security Council the results of their negotiations. Further details may be found in Attachment B.

There has been no agreement on the action, if any, which the Three Powers would take in the UN after a Soviet withdrawal.

Notice to Soviet Government and Public Statement

It has been tripartitely agreed that, if and when the Soviet Government announces the imminent turning over of the Berlin access checkpoints to the GDR, the Three Powers, both in communications to the Soviet Government and in a public statement, will reemphasize that

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they continue to hold the Soviet Union fully responsible under quadripartite agreements and arrangements concerning Berlin, will explain the legal construction which they put upon the Soviet action, and will outline in general terms the procedures which they intend to follow at the highway and railroad checkpoints and in the Berlin Air Safety Center (BASC).

Preliminary drafts of a note to the Soviet Government and of a public statement have been prepared.

Checkpoint Procedures

It has been tripartitely agreed that, if Soviet personnel are withdrawn from the checkpoints and the East German personnel at the checkpoints are not admitted by the Soviet Union to be acting as Soviet agents, every effort will be made to continue normal traffic by highway and railroad and that the Three Powers will put into effect new procedures to identify Allied movements to East German personnel as movements entitled to unrestricted access to Berlin. Details of these procedures are given in Attachment C. The new travel order forms mentioned therein have been prepared and are ready for immediate use.

Procedures in Berlin Air Safety Center

It has been tripartitely agreed that BASC will be operated on a tripartite basis if the Soviets withdraw. For safety considerations, attempts will be made to communicate flight information indirectly by radio broadcasting and, if possible to do so in an appropriate fashion, directly to the East German Air Traffic Control Authority at Schoenefeld. Details of the procedures contemplated may be found in Attachment D. There is still some uncertainty whether the use of teletype or telephone lines to Schoenefeld is feasible.

Planning for Later Phases

The foregoing summary covers only the aspects of planning which might have to be implemented and could be implemented immediately. Stand-by plans have also been elaborated to deal with later aspects, such as a military movement on the highway to probe whether the Soviets are prepared to use force to block passage, the substitution of air transport for surface transport of the Allied forces, the continuation of civil air services under abnormal conditions, the substitution of military for civil aircraft, intensified military preparations, and an attempt to restore access through the use of force. However, there are no commitments to the implementation of such plans and some of them suggest alternative courses of action, leaving the choice to be made later. While there is agreement in principle that the Three Powers should make efforts to increase pressure on the Soviet Union and the GDR if Allied traffic is forcibly obstructed, no appreciable progress has been made on the planning of non-military measures for this purpose.

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Attachment A

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April 4, 1959



BERLIN CONTINGENCY PLANNING

This paper represents Berlin contingency planning as agreed by the Governments of France, the United Kingdom, and the United States on the basis of the United States aide-mémoire of December 11, 1958, the United States memorandum of February 18, 1959, the tripartite Ambassadorial Group discussions in Washington on February 18, February 28, March 20, and April 4, 1959, and the tripartite Foreign Ministers' meeting in Washington on March 31, 1959.

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1. Preparatory Military Measures

a. In view of the possibility that the USSR may withdraw from its functions with respect to Berlin and in order to provide evidence of the Three Powers' determination to maintain their free access, the military authorities of the Three Powers will plan quiet preparatory and precautionary military measures of a kind which will not create public alarm but which will be detectable by Soviet intelligence. These measures are to be implemented as soon as they have been agreed.

b. The military authorities of the Three Powers will also plan more elaborate military measures in Europe, which would be generally observable, including (1) measures to be implemented after the Soviet Government has turned its functions over to the GDR and (2) measures to be implemented after Allied traffic has been forcibly obstructed.

c. The planning of the measures described in paragraphs 1a and 1b above will be carried out on a tripartite basis under the general supervision of General Norstad in his capacity as Commander in-Chief, United States Forces, Europe. The exact arrangements for the planning will be further concerted between the military authorities of the three countries. These military authorities will also plan measures on a purely national basis in support of the measures referred to above.

2. Notice to Soviet Government

The Three Ambassadors in Moscow should inform the Soviet Government at an appropriate time (1) that the Three Powers continue to hold the Union of Soviet Socialist Republics fully responsible under quadripartite agreements and arrangements concerning Berlin; (2) that the Three Powers have noted Soviet statements to the effect that the Union of Soviet Socialist Republics will withdraw from its remaining occupation functions with respect to Berlin; that they assume this means the Soviets intend to withdraw Soviet personnel from the Interzonal autobahn and railway checkpoints and from the Berlin Air Safety Center; (3) that the right of the Three Powers to unrestricted access to Berlin would remain unaffected by such Soviet withdrawal; (4) that the Three Powers will not tolerate any attempt on the part of the "German Democratic Republic" to assert any control over or to interfere with their traffic to and from Berlin via quadripartitely established routes, and that they would take all measures necessary to protect their rights in this connection; (5) that, if the Soviets withdraw, the Western Powers will act on the assumption (a) that the Union of Soviet Socialist Republics has decided to abolish unnecessary administrative procedures at interzonal borders, and (b) the Union of Soviet Socialist Republics can and will, without benefit of exchange of flight information in the Berlin Air Safety Center, maintain absolute separation of Soviet aircraft and all other aircraft

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flying in the Soviet Zone from aircraft of the Three Powers flying in the Berlin corridors and the Berlin control zone; (6) that the Three Powers will expect their traffic to move freely to and from Berlin and will assume the Soviets have given blanket assurance of safety of all Three Power aircraft in the Berlin corridors and the Berlin Control Zone. 1/



3. Public Statement

There will be drawn up without delay a tripartitely agreed draft of a public statement to be made if and when the Soviet Government announces the imminent turning over of the checkpoints to the GDR. This statement would explain the legal construction which the Allied Governments place upon the Soviet announcement and the procedures they will follow.

4. The "Agency Principle"

The Three Powers cannot deal with GDR personnel as Soviet agents if the USSR denies that such an agency relationship exists. If, however, the USSR should ultimately propose a compromise under which the USSR, as principal, would expressly authorize GDR personnel to function as Soviet agents in performing Soviet functions with relation to the access of the Three Powers to Berlin, the Three Powers should consider the possibility of accepting such a compromise solution, with appropriate safeguards for their own rights.

5. Identification of Allied Vehicles

If Soviet personnel are withdrawn from the checkpoints, there would be no objection to providing mere identification of the vehicles of the Three Powers for the information of GDR personnel at the checkpoints.

6. Continuation of Allied Traffic after Soviet Withdrawal

If and when the Soviet personnel are withdrawn from the checkpoints, the Three Powers will make every effort to continue normal traffic by Autobahn and railroad, except that they will substitute for the

1/ The notice to the Soviets contemplated in this paragraph has already been given in part by the Three Powers' notes of December 31, 1958, which read in part as follows:

"As the Soviet Government knows, the French, British, and United States Governments have the right to maintain garrisons in their sectors of Berlin and to have free access thereto. Certain administrative procedures have been agreed with the Soviet authorities accordingly and are in operation at the present time. The Government (of the United

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States) will not accept a unilateral repudiation on the part of the Soviet Government of its obligations with respect of that freedom of access. Nor will it accept the substitution of the regime which the Soviet Government refers to as the German Democratic Republic for the Soviet Government in this respect."

procedures followed at present with the Soviet personnel those procedures which the Three Powers themselves have determined to be necessary to identify their trains, convoys, or vehicles as Allied movements entitled to unrestricted access and whatever procedures may be tripartitely agreed to be reasonable to enable the GDR personnel to ensure the orderly progress of traffic on the Autobahn or railroad.

7. Detailed Procedures at Checkpoints

The Three Embassies at Bonn, in consultation with the appropriate military headquarters, should complete the drafting of instructions to the commanders of military trains and convoys and to the drivers of individual vehicles regarding the procedures to be followed at the railroad and Autobahn checkpoints in the event of the withdrawal of Soviet checkpoint personnel. In drafting those instructions, provision will be made for a situation in which the Soviet Government has acknowledged the GDR personnel to be its agents and for a situation in which the Soviet Government has not done so. The Embassies, in consultation with the same military headquarters mentioned above, will also develop appropriate procedures for the identification of Allied movements and draft the above-mentioned instructions to conform with these procedures.

8. Possible Substitution of Allied for Soviet Personnel

The Three Powers should consider the possibility of substituting their own personnel for the Soviet personnel withdrawn from the Nowawes and Marlenborn checkpoints.

9. Initial Probe of Soviet Intentions

If Allied surface access is interrupted as a result of an attempt by GDR personnel to enforce formalities or controls going beyond those which the Three Powers have determined to be acceptable (cf. paragraph 6 above) the Three Powers will then make a probe or probes to determine whether the Soviets are prepared to use force or to permit the use of force to prevent the passage of an Allied movement. The vehicles will be identified to the GDR personnel in accordance with the procedures which the Three Powers have agreed on, but no further inspection or control will be allowed. It will not fire unless fired upon, but if fired upon will take whatever defensive action seems necessary.

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10. Efforts to Increase Pressure on USSR and GDR

If the initial probe or probes as described in paragraph 9 above are physically obstructed, the Three Powers will make parallel efforts along the following lines to increase pressure on the USSR and the GDR:

a. The Three Powers will seek to mobilize world opinion against the USSR as a violator of agreements, as a user of force, and as a threat to the peace. A possibility is that the situation could be taken to the United Nations Security Council and, perhaps in the event of a Soviet veto, to a special session of the General Assembly. Consideration would be given to further forms of diplomatic or other pressure, including the withdrawal of the Ambassadors of the Three Powers from Moscow.

b. The Three Powers will intensify their military preparations. At this point the preparations could include measures which would be readily observable.

11. Use of Military Force

a. The Three Governments will make jointly the appropriate decisions for restoring freedom of passage. The measures required for their implementation should be the object of a study by the tripartite staff in Paris.

b. Supplementing military decisions, consideration might be given to possible economic measures.

12. Air Access to Berlin

a. As a concomitant to the above courses of action regarding surface access to Berlin, the Three Powers should, from the start, take steps to maintain their unrestricted air access to Berlin, which would be essential to maintaining the status and security of the city.

b. The Three Embassies at Bonn, in consultation with the tripartite staff in Paris or with other military headquarters as appropriate, should review or complete contingency planning to deal with the following aspects of the Berlin air access question:

(1) Possible Soviet withdrawal from the Berlin Air Safety Center;

(2) Possible Soviet or East German threats against the safety of flight in the Berlin corridors and control zones;

(3) Measures which might be taken to continue civil air services as long as possible in the event of any change in the present situation;

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(4) Possible establishment of a "garrison airlift" to transport Allied personnel and material as necessary in the event of an interruption of Allied surface traffic;

(5) The possible substitution of military for civil aircraft to maintain air services to Berlin if civil aircraft cease operations;

(6) Possible direct interference by the Soviets or East Germans with flights in the Berlin corridors or control zone; and

(7) Flights in the Berlin corridors above 10,000 feet. (This issue might be resolved by a simple tripartite agreement to fly at an altitude appropriate to efficient operations of individual aircraft.)

c. Planning regarding b (4) and b (5) above should be conducted on the understanding that no policy decision has been taken on a "garrison airlift" or on the substitution of military for civil aircraft.

13. Planning Responsibilities and Coordination

a. The Tripartite Ambassadorial Group meeting in Washington is responsible for the overall coordination of Berlin contingency planning and for the drafting of the statement mentioned in paragraph 3 above.

b. The Three Embassies at Bonn are primarily responsible for the development of recommendations regarding identification of Allied movements (paragraph 7 above), instructions regarding detailed procedures at the checkpoints (paragraph 7 above), and air access planning (paragraph 12 above).

c. The Tripartite Staff in Paris, under the supervision of General Norstad, is responsible for coordinating the preparatory military measures and the planning described in paragraph 1 above, for studying measures which might be taken to restore freedom of access (paragraph 11 above), and for assisting the Three Embassies at Bonn in carrying out their responsibilities as described in paragraph 13 b above.

d. The Ambassadors of the Three Powers to the United Nations are charged with making recommendations to their Governments regarding the basis and timing of a possible approach to the United Nations (of paragraph 10 a above).

e. The Headquarters of the Three Powers in Berlin will give the Three Embassies at Bonn whatever assistance the latter may require in carrying out their responsibilities as described in paragraph 13 b above.

f. The military authorities in each of the Three Countries are responsible for the planning of measures on a purely national basis, as mentioned in paragraph 1 above, in support of tripartitely planned measures.

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ATTACHMENT B



POSSIBLE REFERENCE OF THE BERLIN QUESTION TO THE UNITED NATIONS

(Extract)*

First Contingency

4. In the four contingencies considered by our respective UN delegations, the most favorable circumstance in which the Western Powers could take the initiative in bringing the Berlin question to the Security Council would be at the point of breakdown of negotiations at Geneva and prior to a USSR transfer of its responsibilities to the East Germans or other unilateral moves affecting the status of Berlin. Such action would help to prevent the Soviet transfer or at least mobilize opinion sufficiently to cause the USSR to hesitate.

5. There is no assurance, of course, that events will develop in such a manner as to permit Western resort to the Security Council under the circumstances described above. Resort to the United Nations seems undesirable so long as there remains a reasonable prospect of accomplishing useful results through direct negotiations with the USSR. On the other hand, the imminent or actual breakdown of negotiations may be followed so rapidly by Soviet unilateral action that the Western Powers will be physically unable to convene the Security Council prior to a change in the status quo. If a sufficient interval of time exists, however, resort to the Security Council at this time would appear to offer the Western Powers maximum political and psychological advantages, with minimum restraints on Western freedom of action. It seems desirable, therefore, that the Western Powers be fully prepared to move rapidly to seize this opportunity if it becomes available.

6. A proposal favoring the maintenance of the status quo and the resumption of negotiations would almost certainly

*The agreement of the Three Governments to this portion of the tripartite paper of May 25, 1959 was noted by the Washington Ambassadorial Group for Berlin Contingency Planning. There has been no agreement on sections of the paper which discuss possible action in the UN after a Soviet withdrawal from access functions.

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command substantial support in the Security Council. A suggested tripartite letter to the President of the Security Council (Annex A) and a resolution (Annex B) are attached for transmission to our United Nations delegations so that they will be ready to move promptly if a decision is taken to bring the Berlin matter to the Council.

7. If the Soviet Union takes unilateral action while the Security Council is considering the Berlin question, the onus would rest on them for flagrantly disregarding the United Nations. Under these circumstances we could simply announce that, since the USSR has ignored the UN, we considered ourselves free to take whatever action was necessary and appropriate to cope with the new situation. Thus the fact that the UN was seized of the Berlin problem when the USSR transferred access controls to the GDR would not stop or restrict us from taking such direct countermeasures as we might decide to take; on the contrary, the fact that we had taken the question to the UN in good faith would enhance our freedom of action if the USSR unilaterally upsets the status quo.

8. It can be expected that the USSR will veto such a resolution. In these circumstances, the Three Powers will be confronted with the decision of whether to carry forward their initiative in the General Assembly. There are several basic considerations that are paramount; factors favoring recourse to the General Assembly include: (a) It is a well-known fact that once embarked on consideration of the problem in the Security Council, while ways of avoiding the General Assembly could probably be found, natural momentum would tend to carry it there; (b) If as expected, substantial support develops for the Western position in the Security Council, much would have been done to educate public opinion and to improve the climate in the General Assembly in the event it is subsequently seized of the problem; (c) In the face of a Soviet veto and increased tension, there would be a natural tendency to see if there were anything else the UN could do, i.e., others might take the initiative in moving on to the General Assembly if we do not do so.

9. On the negative side are the following factors: (a) It will be more difficult to control the situation in the General Assembly than in the Security Council. (b) Substantive proposals for handling the situation must be expected. (c) Some members, especially the neutralists, are likely to make proposals for the sake of compromise per se without regard to the merits of the case.

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10. In light of the foregoing, it does not appear feasible to attempt to make a decision now as to whether to proceed from the Security Council to the General Assembly except to agree that the UK, France and the US should review the situation and decide in the light of the circumstances prevailing at the time. However, the Western Powers, in making any decision to resort to the Security Council, must take account of the likelihood that there will be considerable pressure for proceeding to the General Assembly in the event of a Security Council deadlock.

11. The foregoing speaks in terms of a Western initiative. It is recognized, of course, that in the contingency under discussion, there could be either a Soviet or a neutral initiative. While we believe this is unlikely in light of the fact that those conditions are the most favorable ones to us and the least favorable to the Soviets, nevertheless if such events should occur, the course of action described in paragraph 2 would be equally effective as a counter to a Soviet initiative as it is as a Western initiative.

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ANNEX A



IDENTICAL LETTERS FROM THE GOVERNMENTS OF THE UNITED STATES OF AMERICA, UNITED KINGDOM AND THE FRENCH REPUBLIC TO THE SECRETARY GENERAL (OR PRESIDENT OF THE SECURITY COUNCIL) DATED _____

I have the honor on behalf of the Government of the United States of America, in agreement with the Governments of the United Kingdom and the French Republic, to draw your attention to serious events concerning Germany, which could constitute a threat to international peace. This situation results from the threat of the Government of the Union of Soviet Socialist Republics, in violation of solemnly undertaken international agreements, to undertake unilaterally changes affecting present agreements regulating the status of Berlin. These agreements include wartime and postwar agreements among the Four Powers, the latest of which was reached in May 1949 and duly communicated to the Security Council subsequent to its debate of the Berlin blockade.

As a result of the Soviet threat, the situation in Germany is fraught with danger for the entire world. (Insert appropriate Soviet statements.)

The United States, United Kingdom and France have repeatedly made clear that they will abide by their commitment to protect the freedom of the two million inhabitants of West Berlin.

It is clear from the protracted exchange of notes and the conversations which have taken place on the initiative of the three Governments between them and the Soviet Government that the three Governments, conscious of their obligations under the Charter to settle their differences by peaceful means, have made every effort to seek a solution of the problem through direct negotiations with the Soviet Government. (Insert appropriate Western statements.)

In view of the foregoing, I request an urgent meeting of the Security Council to consider the identical letters from the Governments of the United States, United Kingdom and French Republic, dated _____.

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ANNEX B



DRAFT RESOLUTION

THE SECURITY COUNCIL

Conscious of its primary responsibility for the maintenance of peace and security,

Concerned that discussions among the US, UK, France and the USSR looking toward a peaceful solution of the problem of Berlin have not led to agreement,

Considering that unilateral abdication of its responsibilities for Berlin by one of the occupying powers in the absence of agreement with the other occupying powers could result in a situation constituting a threat to international peace,

1. Calls upon France, the USSR, the United Kingdom and The United States not to take any action which would have the effect of violating existing agreements (altering existing arrangements - British) in regard to Berlin unless mutually agreed among those concerned.

2. Requests the Four Powers to resume negotiations in order to resolve their differences.

3. Requests the Four Powers to report to the Security Council on the results of any negotiations undertaken pursuant to this resolution.

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Attachment C

BERLIN CONTINGENCY PLANNING - SURFACE ACCESS

(Extract from BERCON-TRI D-2a, September 22, 1959)

Procedures to be Followed if no Agency Relationship Exists

No Agency Relationship

The following policies are based on the assumption that the Soviet control personnel will be replaced at the checkpoints on the Berlin-Helmstedt road and rail routes by East German personnel, who, although not acting as agents of the Soviet Union, will seek to control the travel of Allied personnel. They also envisage the possibility that East German personnel will seek to check Allied documents, demand that Allied personnel have East German visas or other travel documents issued by East German authorities; and that attempts may be made to try to make Allied personnel submit to vehicle inspection, customs and currency controls, and pay tolls.*

A. Travel on the Autobahn

1. Entering the Soviet Zone

a. Before departure the Allied traveller (the military convoy or vehicle commander, or the driver of a privately-owned vehicle bearing a U.S. (British, French) military license plate or West German plates for Allied personnel or any other driver authorized by the appropriate military or diplomatic authorities) should ensure that he has either:

(i) In the case of passenger vehicles, a proper movement order prepared in triplicate for single journeys or in quintuplicate for return journeys. This movement order will closely resemble the present movement order and will be written in four languages -- English, French, Russian, and German. There will be a single movement order for each movement, bearing the name of the traveller with a list of passengers attached, and all copies will be stamped at the Allied checkpoint showing the place, date and time of passage.

(ii) In the case

* To minimize the likelihood of women and children being trapped inside the Soviet Zone, their travel in private vehicles will be suspended when it appears evident that the Soviet Union is about to turn over control of the checkpoints on the access routes to Berlin to the East German authorities.

Women and children will travel instead either by Allied military trains or commercial or military planes.

The Three Allied Commandants in Berlin are responsible for suspending and restoring private vehicular travel for women and children.

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(1) In the case of trucks and military convoys, a "convoy and freight" movement order prepared in triplicate for single journeys or in quintuplicate for return journeys. This movement order will closely resemble the present movement order and will be written in three languages -- English, Russian and German or French, Russian and German. There will be a single movement order for each movement, bearing the name of the truck or convoy commander and showing the number of travellers but not a list of their names, and all copies will be stamped at the Allied checkpoint showing the place, date and time of passage.

b. On arrival at the East German checkpoint at the entrance to the Autobahn in the Soviet Zone, the Allied traveller will tear off one copy of the movement order, hand it to the East German officials, and proceed as usual if the East German officials do not attempt to exercise other forms of control.

c. If the East German officials should attempt to exercise any other form of control, e.g., examine the original movement order and stamp it, check identity documents, inspect vehicles, exercise customs and/or currency controls, demand the payment of tolls, or if they should offer special documentation for convoys and vehicles and visas for the occupants, the Allied traveller should refuse to submit and demand passage as a matter of right; if this is not possible, turn back and report the matter to the military police at the U.S. (British, French) checkpoint.

2. Leaving and Transiting the Soviet Zone

a. On arrival at the East German checkpoint at the exit from the Autobahn in the Soviet Zone, the Allied traveller should detach the second copy of the movement order, hand it to the East German officials, and proceed.

b. If the East German officials attempt to impose additional controls or demand any other form of documentation, either when the Allied traveller is transiting or leaving the Soviet Zone, he should refuse to submit and demand passage as a matter of right.

c. If the East German officials refuse to permit passage, the Allied traveller should remain where he is and attempt to obtain instructions from headquarters of U.S. (British, French) checkpoints by radio or other practicable means. The driver of a private vehicle in which there are occupants other than male members of the U.S. (British, French) armed forces or male civilian personnel employed by the U.S. (British, French) Government may, as a last resort, and after a minimum waiting period of eight hours, submit under protest to the demands of the East German officials, continue travel, and leave the Soviet Zone. The military convoy or vehicle commander or the driver of a private vehicle in which all the passengers are either male members of the U.S. (British, French) armed forces or male civilian personnel employed by the U.S. (British, French) Governments will not submit to the demands

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of East German officials but wait for and comply with specific instructions handed down by U.S. (British, French) military headquarters. U.S. (British, French) checkpoint personnel will inform headquarters immediately of all instances of vehicles trapped on the Autobahn inside the Soviet Zone. U.S. (British, French) military headquarters, in turn, will consult with the Embassy in Bonn and ensure that the necessary instructions actually reach Allied personnel trapped inside the Soviet Zone.

B. Travel by Military Train

1. Checkpoint Control

a. Before departure, the train commander will be given a single movement order (prepared in duplicate) bearing the name of the train commander with a list of all travellers on the Allied military train attached. The movement order will be written in English, French, Russian, and German and both copies will be stamped by Allied officials to show place, date and time of passage before the Allied military train crosses into the Soviet Zone.

b. On arrival at the Soviet Zone checkpoint, the train commander will detach the duplicate copy of the movement order and hand it to the East German officials.

c. If East German officials try to impose additional controls, e.g., examine the original document and stamp it, check identity documents, exercise customs and currency controls, or insist upon any other documentation such as visas for passengers and laissez passers for the train, the train commander will refuse to submit; if the East German officials attempt to board the train, their entry will be barred; the train commander will demand passage as a matter of right. If this is not granted the train commander's action will depend on whether the train is travelling eastwards to Berlin (and consequently just entering the Soviet Zone) or westwards from Berlin (and consequently just about to leave the Soviet Zone). In the former case the train commander will demand that it be turned back and report the matter to the U.S. (British, French) military authorities. In the latter case he will have it remain where it is and attempt to contact the U.S. (British, French) military authorities by radio. He will then wait for and comply with specific instructions handed down by the U.S. (British, French) military headquarters.

2. Control at Other Points

If the East German officials seek to impose controls at other points, the train commander will refuse to submit; if the East German officials attempt to board the train, their entry will be barred; the train commander will demand passage as a matter of right. If passage is not granted the train commander's action will depend on whether the train has been stopped as it is entering the zone from Berlin

or whether

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or whether it has been stopped inside the Zone. In the former case the train commander will demand that the train be turned back and report the matter to the U.S. (British, French) military authorities. In the latter case he will have the train remain where it is and attempt to contact U.S. (British, French) military authorities by radio. He will then wait for and comply with the specific instructions handed down by the U.S. (British, French) military headquarters.

C. Further Action if Access is Interfered With

If the vehicle or train is forced to turn back or is trapped in the Soviet Zone, or is forced to submit to controls under protest because it was trapped in the Zone, Allied representation should be made immediately to the Soviet Government and tripartite considerations should be given to making a probe or probes to determine whether the Soviets are prepared to use force or to permit the use of force to prevent the passage of Allied vehicles and/or trains.

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ATTACHMENT D



Air Access - Possible Soviet Withdrawal from Berlin Air Safety Center

The following recommendations for planning to deal with a possible Soviet withdrawal from the Berlin Air Safety Center (BASC) have been prepared in compliance with paragraph 12 b (1) of tripartite paper "Berlin Contingency Planning," dated April 4, 1959.

"Operational Reaction" to Soviet Withdrawal

1. If the Soviet Controller announces that the Soviets are withdrawing from BASC, the U.S. (British, French) Controllers will immediately make the following statement in reply:

"Flight information will continue to be made available to you at BASC in the normal manner. I am instructed to inform you that U.S. (British, French) aircraft will continue to fly in the Berlin corridors and control zone in the normal manner. My Government will hold your Government responsible for any interference with the safety of those aircraft while they are in the corridors and in the control zone."

The statement will also contain a description of the other means which will be used to communicate flight safety information in the Soviet Controller's absence, including the channels which will be used to pass it to the East German air traffic control authority and the wave lengths on which it will be broadcast.

2. If the Soviet Controller attempts to introduce an East German into BASC, the U.S. (British, French) Controller will immediately inform the Soviet Controller that the presence of an East German official in BASC is not acceptable and request the Soviet Controller to see that the East German leaves BASC at once. If the East German does not leave immediately, the U.S. Controller will summon the U.S. military guards in the building and have them escort the East German from the building. The Western Controllers will tell the Soviet Controller "I am instructed to inform you that my Government holds your Government responsible for avoiding any interference with the safety of U.S. (British, French) aircraft in the Berlin corridors and Control Zone, and flight information will continue to be made available to you in the normal manner."

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3. If the Soviet Controller fails to appear, either without any previous intimation, or after attempting to introduce an East German, the statement in paragraph 1 above will be made immediately to the Soviet headquarters in Berlin Karlshorst. If the Soviets have also withdrawn from Karlshorst, the message will be passed via the U.S. Mission (British and French Military Governments) to the Soviet Embassy in East Berlin or via the Military Liaison Mission to the Headquarters of the Group of Soviet Forces in Germany.

4. If an East German official appears at BASC instead of a Soviet officer, he will be asked to leave and, if need be, escorted out. The statement in paragraph 1 above will then be made to the Soviet headquarters at Karlshorst or, if necessary, to the Soviet Embassy in East Berlin or the Headquarters of the Group of Soviet Forces in Germany.

Tripartite Air Safety Measures

5. Any change in the situation in BASC will immediately be brought to the attention of the carriers serving Berlin. At the same time, an attempt will be made to advise the carriers what effect the Soviet action, seen in the light of the general situation obtaining at the time, may have on safety of flight in the Berlin corridors and control zone. In the absence of other indications of Soviet intentions, there should be no reason to presume from a mere Soviet withdrawal from BASC, unaccompanied by direct or implied threats, that there is a danger of physical interference with Allied aircraft.

6. BASC operations will be continued on a tripartite basis.

7. The Three Powers will assure that communications and navigational aids under their control are maintained in a manner which will assure the greatest safety of flight possible under the circumstances.

Communication of Flight Information

8. The Western Controllers will continue to pass flight plans to the Soviet desk in BASC, with a date-time stamp indicating the time of transmission, despite the absence of the Soviet Controller.

9. Flight information will be broadcast by radio on a fixed wave-length in order to be able to state that both the Soviets and the East Germans have been put on notice regarding Allied flights. An attempt will also be made to communicate the same information by teletype or telephone over one of the

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existing lines between East and West Berlin to the East German Air Traffic Control Authority at Schoenefeld. The various notifications made to the Soviet authorities (i.e., those referred to in paragraphs 1, 3 and 4 above and the note and public statement referred to in paragraphs 2 and 3 of the tripartite paper of April 4, 1959) will contain details of how this will be done. Flight information will be so worded as to avoid any connotation of recognition of the GDR or of acceptance of an East German right to participate in air traffic control in the corridors and control zone.

10. The Allies will not entertain any claim by the GDR to have a right to participate in air traffic control in the corridors and control zone. However, under circumstances in which it is clear that the East German authorities are not claiming a right of control but are asking to discuss the purely technical details of communicating flight information (e.g., wave lengths, telecommunications channels), there is no objection to such discussions taking place either through the telecommunications channels described in paragraph 9 above or by way of some already established contact. These discussions will have to be kept on a technical level; they should never be allowed to assume the character of real negotiations; they should be discontinued as soon as they show the danger of a GDR maneuver aimed at obtaining from the Allies a change in their attitude towards the GDR.

11. If the air traffic control authority at Schoenefeld, after expressly or tacitly accepting Western flight plans, communicates to BASC flight information for a flight in the Berlin corridors, BASC will initially submit such information to the Allied Kommandatura for consideration on a case-by-case basis until a policy decision on the advisability of accepting such flight plans can be taken in the light of actual experience. Flight information pertaining to flights not involving the Berlin corridors, but which relates solely to access to Schoenefeld, will be accepted by BASC, provided the flights do not conflict with Allied flights.

12. If the air traffic control authority at Schoenefeld replies with a statement purporting to deny clearance for overflight of the GDR or to refuse "guarantees of flight safety," BASC will send a further communication stating that flight plans are being communicated for information only and (except in the case of a civil aircraft which is not prepared to fly under the circumstances) that the flight will take place or has taken place as scheduled.

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13. BASC will send a similar communication if the East German authorities take any other action which claims either:

- (a) that they have the right to control Allied flights in the Berlin corridors; or
- (b) that notification of flight information by the Allies constitutes recognition of the GDR as a state.

14. If the East German authorities persist in asserting their authority to control flights (for example by repeatedly denying "guarantees of flight safety" or "clearance to overfly the GDR" or by repeatedly attempting to force the Three Powers into negotiations or undesirable contacts with GDR agencies regarding air access to Berlin), the Three Governments will consider whether the communication of flight information (by any means other than broadcasting) should be terminated. If a decision is taken to terminate such communication, the Three Governments will also consider whether they should at the same time:

- (a) make a statement reiterating their rights and saying that they will in the future be forced to act on the assumption that the Soviets and East Germans will maintain absolute separation of their aircraft on the basis of the flight information broadcast by radio; and
- (b) unilaterally take whatever measures may be appropriate with a view to assuring the continuation of Berlin services by the civil carriers or prepare, if necessary, to mount a "civil airlift" (i.e., substitute military for civil aircraft). (N.B. It may prove necessary to take such measures at an earlier stage.)

Detailed Implementation

15. Details of the implementation of this paper will be worked out as needed by the Three Embassies at Bonn, in consultation with "LIVE OAK" and other military headquarters as appropriate.

Public Statement

16. The note to the Soviet Government and the public

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statement provided for in paragraphs 2 and 3, respectively, of the April 4, 1959 paper will explain the procedures which the Three Powers intend to follow with respect to air access (e.g., wave lengths and channels for communicating flight safety information) as well as surface access.

Basis of This Planning

17. The above planning is based on the assumption that it will not be possible to negotiate with the Soviets a satisfactory modus vivendi for Berlin. In other circumstances, the acceptance of an East German Controller in BASC as a Soviet agent (this would be comparable to the acceptance of East German highway and railroad checkpoint personnel as Soviet agents might be considered.

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